

“(i) APPROPRIATE SECRETARY.—The term ‘appropriate Secretary’ means—

“(I) except as provided in subclause (II), the Secretary of Labor; or

“(II) if the application involves funds reserved under section 110(e) of the Rehabilitation Act of 1973 (29 U.S.C. 730(e)), the Secretary of Labor and the Secretary of Education.

“(ii) SUBSTANCE USE DISORDER.—The term ‘substance use disorder’ means such a disorder within the meaning of the term in title V of the Public Health Service Act (42 U.S.C. 290aa et seq.).

“(iii) SUBSTANCE USE DISORDER TRANSITION ACTIVITIES.—The term ‘substance use disorder transition activities’ means activities authorized under subparagraph (D) or (E).

“(B) ELIGIBLE STATES.—To be eligible to use the funds reserved under clause (i) or (ii) of section 133(a)(1)(B) for substance use disorder transition activities described in this paragraph, a State shall—

“(i) submit to the appropriate Secretary an application seeking flexibility to use the reserved funds for such activities, and submit the application at such time, in such manner, and containing such information as the appropriate Secretary may require, including an assurance that the State will award subgrants to entities on the basis of the ability of the entities to provide the substance use disorder transition activities involved, including any programs that the entities propose to provide that lead to recognized postsecondary credentials; and

“(ii) obtain approval of the application.

“(C) SUBGRANTS.—An eligible State may use the funds reserved under clause (i) or (ii) of section 133(a)(1)(B) to make subgrants to one-stop operators and nonprofit organizations, to provide services under subparagraph (D) and (at the election of the State) subparagraph (E).

“(D) CAREER SERVICES.—An entity that receives a subgrant under subparagraph (C) shall use the subgrant funds to assist individuals in recovery from a substance use disorder in transitioning to the workforce, by providing career services (such as the services described in section 134(c)(2)) and related services, which may include 1 or more of—

“(i) providing ongoing career counseling, both before and after job placement, with a focus on individual employment preferences while weighing the skill needs of industries in the local area;

“(ii) promoting systemic job development, by facilitating voluntary programs and relationships between participants and local employers to create potential employment opportunities;

“(iii) providing benefits counseling—

“(I) to ensure participants receive accurate information regarding how employment will affect access to various Federal programs, such as the Medicaid program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and the supplemental security income program established under title XVI of that Act (42 U.S.C. 1381 et seq.); and

“(II) to advise participants on ways to transition away from the programs described in subclause (I) through maintaining employment;

“(iv) creating voluntary programs with employers to establish a work and treatment arrangement, such as an Employee Assistance Program, for employees in recovery from a substance use disorder;

“(v) providing educational materials or training to employers to enable the employers to inform their employees of the resources, such as treatment options for a substance use disorder, that are available to them; and

“(vi) any other career services that are determined to be necessary by the appropriate Secretary and that would assist individuals in recovery from a substance use disorder in transitioning to the workforce.

“(E) TRAINING SERVICES.—An entity that receives a subgrant under subparagraph (C) shall (at the election of the State) use the subgrant funds to assist individuals in recovery from a substance use disorder in transitioning to the workforce, by providing training services.”.

(c) ADMINISTRATION.—Section 181 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3241) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

“(g) RELATIONSHIP TO OTHER LAWS.—

“(1) DISABILITY NONDISCRIMINATION LAW.—Subject to paragraph (2), an employer that employs, or considers for employment, any individual who receives services under this section or under section 320B of the Public Health Service Act shall have an absolute defense to any claim (including a charge) of unlawful discrimination on the basis of disability under a covered law, that alleges that the employer discriminated against that individual (which may include refusing to hire or terminating the employment of the individual) based on alcohol addiction or past substance use disorder for which the individual receives such services.

“(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to eliminate the duty of the employer, to an employee who is an individual who receives such services, to provide a reasonable accommodation for an alcohol disorder, or a past substance use disorder, that is a disability under a covered law.

“(3) DEFINITIONS.—In this subsection:

“(A) COVERED LAW.—The term ‘covered law’ means title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.), title V of the Rehabilitation Act of 1973 (29 U.S.C. 791 et seq.), or a State law (including local law), that prohibits discrimination on the basis of disability in employment.

“(B) SUBSTANCE USE DISORDER.—The term ‘substance use disorder’ means such a disorder within the meaning of the term in title V of the Public Health Service Act (42 U.S.C. 290aa et seq.).”.

(d) OTHER CORE PROGRAMS.—Section 110 of the Rehabilitation Act of 1973 (29 U.S.C. 730) is amended by adding at the end the following:

“(e)(1) In the case of a transition State, from any State allotment under subsection (a) for a fiscal year, the State may reserve not more than 5 percent of the allotted funds for substance use disorder transition activities described in section 134(a)(4) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(a)(4)).

“(2) In this section, the term ‘transition State’ means a State with an application approved under section 134(a)(4) of the Workforce Innovation and Opportunity Act.”.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 479—DESIGNATING APRIL 2018 AS “NATIONAL DONATE LIFE MONTH”

Ms. HEITKAMP (for herself, Ms. COLLINS, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 479

Whereas, in April 2018, more than 114,000 individuals in the United States were on the

official national transplant waiting list (referred to in this preamble as the “national transplant waiting list”) managed by the Organ Procurement and Transplantation Network;

Whereas, in 2017, 34,770 transplant procedures were performed in the United States with organs from 10,286 deceased donors and 6,187 living donors, yet 6,081 candidates for transplantation died while waiting for an organ transplant;

Whereas, on average, 20 people die each day in the United States while waiting for an organ donation;

Whereas more than 138,000,000 people in the United States are registered to be organ and tissue donors, yet the demand for donated organs outweighs the supply of organs made available each day;

Whereas, in 2017, a record was set for the number of organ transplants performed in a single year, yet every 10 minutes, 1 person is added to the national transplant waiting list;

Whereas an organ donation from a single deceased donor can benefit up to 8 individuals;

Whereas a living donor can donate a kidney or a portion of a lung or the liver to save the life of another individual; and

Whereas April is traditionally recognized as “National Donate Life Month”: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates April 2018 as “National Donate Life Month”;:

(2) supports the goals and ideals of National Donate Life Month;

(3) supports promoting awareness of organ donation by increasing public awareness;

(4) encourages States, localities, and territories of the United States to support the goals and ideals of National Donate Life Month by issuing a proclamation to designate April 2018 as “National Donate Life Month”;:

(5) commends each individual who—

(A) is a registered organ donor who may have a positive impact on the life of another individual; or

(B) indicates a wish to become an organ donor;

(6) acknowledges the grief of families who face the loss of loved ones and commends the families who, in their grief, choose to donate the organs of deceased family members;

(7) recognizes the generous contribution made by each living individual who has donated an organ to save the life of another individual;

(8) acknowledges the advances in medical technology that have enabled organ transplantation with organs donated by living individuals to become a viable treatment option for an increasing number of patients;

(9) commends the medical professionals and organ transplantation experts who have worked to improve the process of living organ donation and increase the number of living donors; and

(10) salutes each individual who has helped to give the gift of life by supporting, promoting, and encouraging organ donation.

### SENATE RESOLUTION 480—EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 1, 2018, AS “SILVER STAR SERVICE BANNER DAY”

Mr. BLUNT (for himself and Mrs. MCCASKILL) submitted the following resolution; which was considered and agreed to: